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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. 06-189M
10)
11 Plaintiff,)
12)
13 v.)
14 ANDRES PALOMARES-LOMELI,)
15)
16 Defendant.)
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22)

14 Offense charged:

15 Illegal Reentry after Deportation

16 Date of Detention Hearing: Initial Appearance April 19, 2006

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which defendant can meet will reasonably assure
20 the appearance of defendant as required and the safety of other persons and the community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Defendant, a native and citizen of Mexico who was previously arrested and

01 deported from the United States, is charged by Complaint with reentering the United States
02 without permission.

03 (2) Defendant was not interviewed by Pretrial Services. His criminal history includes
04 several prior deportation proceedings, illegal entry charges, battery, robbery, obstruction, use of
05 a weapon, property destruction, VUCSA, forgery, and use of false identification to commit/aid
06 a crime. The defendant is associated with multiple alias forms of identification. No other
07 background information is available.

08 (3) A BICE detainer has been filed. Based on the detainer, the defendant does not
09 contest detention.

10 (4) Defendant poses a risk of nonappearance due to prior failure to comply with court
11 orders, use of multiple aliases, unknown background information and the BICE detainer. He poses
12 a risk of danger due to his criminal history.

13 (5) There does not appear to be any condition or combination of conditions that will
14 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
15 to other persons or the community.

16 It is therefore ORDERED:

17 (1) Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

- 01 (3) On order of a court of the United States or on request of an attorney for the
02 Government, the person in charge of the corrections facility in which defendant is
03 confined shall deliver the defendant to a United States Marshal for the purpose of
04 an appearance in connection with a court proceeding; and
05 (4) The clerk shall direct copies of this Order to counsel for the United States, to
06 counsel for the defendant, to the United States Marshal, and to the United States
07 Pretrial Services Officer.

08 DATED this 19th day of April, 2006.

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11 Mary Alice Theiler
12 United States Magistrate Judge
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